

In the Matter of Merchant Mariner's Document No. Z-763133 and all other Seaman Documents  
Issued to: LEO P. MADRETSMA

DECISION OF THE COMMANDANT  
UNITED STATES COAST GUARD

1159

LEO P. MADRETSMA

This appeal has been taken in accordance with Title 46 United States Code 239(g) and Title 46 Code of Federal Regulations 137.11-1.

By order dated 26 March 1959, an Examiner of the United States Coast Guard at New York, New York suspended Appellant's seaman documents upon finding him guilty of misconduct. The ten specifications found proved allege that while serving an oiler on board the United States SS FLYING HAWK under authority of the document above described, between 30 June and 12 September 1958, Appellant wrongfully failed to obey lawful orders on six occasions; he threatened a superior officer; he directed abusive language toward a superior officer; he created a disturbance; and he failed to join his ship.

At the hearing, Appellant was represented by counsel of his choice. Appellant entered pleas of not guilty to the charge and each specification. Evidence was introduced by both parties.

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At the conclusion of the hearing, the Examiner rendered the decision in which he concluded that the charge and ten specifications had been proved. An order was entered suspending all documents, issued to Appellant, for a period of three months outright plus six months on eighteen month's probation. Appellant has no prior record.

BASES OF APPEAL

This appeal is a plea for clemency solely on the ground of "family obligations."

OPINION

Appellant has clearly demonstrated by his numerous offenses on a single voyage during a period of less than three months that he does not deserve clemency regardless of the extent of his personal hardship. The order imposed is considered to be extremely lenient

in view of the extent to which Appellant flouted the authority of those on the ship and disrupted the shipboard discipline.

ORDER

The order of the Examiner dated at New York, New York, on 26 March 1959, is AFFIRMED.

A. C. Richmond  
Vice Admiral, United States Coast Guard  
Commandant

Dated at Washington, D. C., this 19th day of April, 1960.